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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR CASE NO. 3:15-CR-00359-CRB
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER FOR CONTINUANCE OF
v.)	STATUS CONFERENCE AND
)	EXCLUSION OF TIME
BRIAN PETER STALLINGS,)	
)	
Defendant.)	
)	
)	

The United States of America and defendant, Brian Peter Stallings, stipulate that the status conference in the above-captioned case scheduled for October 19, 2016, at 2:00 p.m., should be continued to November 23, 2016, at 2:00 p.m. The basis for this request is that counsel for the government will be conducting jury selection in Oakland, California, in *USA v. Hugh Robinson* (Case No. CR 15-252-JSW). Trial in this case is scheduled to begin on October 24, 2016, and to continue for approximately 12 to 14 days. Moreover, the parties continue to review the more than 15,000 pages of discovery produced by the United States in this case since Defendant's initial appearance.

The Parties agree that, based on the foregoing, that an exclusion of time from October 19, 2016, through November 23, 2016, at 2:00 p.m., from the applicable time limits set forth in 18 U.S.C. § 3161

1 would allow counsel for Defendant the reasonable time necessary for effective preparation of counsel
2 and continuity of counsel because it would allow additional time to review discovery. *See* 18 U.S.C.
3 § 3161(h)(7). The parties further agree that failure to exclude time as set forth above would deny
4 Defendant the reasonable time necessary for effective preparation and continuity of counsel and that the
5 ends of justice served by granting this request for exclusion of time outweigh the best interest of the
6 public and the Defendant in a speedy trial.

7 Accordingly, for the reasons stated above, the parties jointly request a continuance of the status
8 conference from October 19, 2016, to November 23, 2016, at 2:00 p.m., and the exclusion of time for
9 this period.

10 IT IS SO STIPULATED.

11
12 Dated: October 18, 2016

s/ Jose A. Olivera
JOSE A. OLIVERA
Assistant United States Attorney

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14
15 Dated: October 18, 2016

s/ Martin A. Schainbaum
MARTIN A. SCHAINBAUM
Attorney for Defendant

~~PROPOSED~~ ORDER

For the reasons set forth in the above Stipulation, the Court hereby continues the status conference in this case from October 19, 2016, to November 23, 2016, at 2:00 p.m. The Court further finds that the exclusion of time from October 19, 2016, to November 23, 2016, at 2:00 p.m., is warranted to permit the parties to continue to review discovery. That period shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv), as the ends of justice served by this exclusion outweigh the best interest of the public and Defendant in a speedy trial. Failure to grant the requested continuance would deny the Defendant effective preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: 10/19/2016



HONORABLE CHARLES R. BREYER
United States District Judge